WAKE COUNTY

## IN THE GENERAL COURTS OF JUSTICE SUPERIOR COURT DIVISION

NORTH CAROLINA

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THE MODELL OF DOLD IN OTHER	NAM) COURTY, C.S.C.
THE NORTH CAROLINA STATE	BAR, )
PETITIONER,	BY )
V.	) CONSENT ORDER OF
	) PRELIMINARY INJUNCTION
ROYDERA D. HACKWORTH,	)
RESPONDENT	)

THIS MATTER came on to be heard and was heard by the undersigned Judge of Superior Court of Wake County on motion of Petitioner, the North Carolina State Bar. Petitioner was represented by Katherine E. Jean. Respondent, Roydera D. Hackworth, was represented by Douglas J. Brocker. Based upon the consent of the parties, the Court makes the following:

## FINDINGS OF FACT

- 1. Respondent, Roydera D. Hackworth ("Hackworth"), was licensed to practice law in North Carolina on March 22, 1997.
- 2. As of the date of this petition, Hackworth's last known address of record on file with the North Carolina State Bar is 2500 Brandt Forest Court, Greensboro, North Carolina, 27455.
- 3. The State Bar's preliminary investigation indicates that Hackworth has mishandled client funds that were deposited into her attorney trust account and has failed to maintain required records of the activity in her trust account.
  - 4. Hackworth desires to cooperate with the State Bar.
- 5. A need for prompt action exists to preserve the status quo while the State Bar conducts an analysis of Hackworth's trust and operating accounts..

Based upon the foregoing Findings of Fact, the Court makes the following

## CONCLUSIONS OF LAW

1. Prompt action, pursuant to N.C. Gen. Stat. 84-28(f), is necessary to preserve the status quo while the State Bar conducts an analysis of Hackworth's trust and operating accounts.

- 2. Hackworth should be enjoined from accepting any further funds from or on behalf of clients or other individuals in a fiduciary capacity, from writing checks against any account in which client or fiduciary funds have been deposited, and from directing or permitting any employee or agent to withdraw funds from and/or to draw any checks or other instruments upon any account in which client or fiduciary funds have been deposited until and unless expressly permitted by subsequent orders of the Court.
- 3. To assist the State Bar's analysis of her trust and operating accounts, Hackworth should provide the State Bar with records of all accounts in which client or fiduciary funds have been deposited and with all client files requested by the State Bar as set forth below.

## THEREFORE, IT IS HEREBY ORDERED:

- 1. Roydera D. Hackworth is enjoined from accepting or receiving any funds from clients or third parties in a fiduciary capacity, from withdrawing any funds from and/or drawing any checks or other instruments against any account in which client or fiduciary funds have been deposited and from directing or permitting any employee or agent to withdraw funds from and/or to draw any checks or other instruments upon any account in which client or fiduciary funds have been deposited until and unless expressly permitted by subsequent orders of the Court. This order does not prohibit Hackworth from receiving checks or other negotiable instruments made payable directly to third parties and delivering those checks or instruments directly to the third-parties so long as she does not deposit or negotiate those instruments.
- 2. Hackworth or any other person having custody or control of records relating to any account into which client or fiduciary funds have been deposited shall immediately produce to the North Carolina State Bar for inspection and copying all of Hackworth's financial records relating to any account into which client or fiduciary funds have been deposited, including, but not limited to bank statements, canceled checks, deposit slips, client ledger cards, check stubs, debit memos and any other records relating to the receipt and disbursement of client and/or fiduciary funds.
- 3. Hackworth or any other person having custody or control over records relating to persons or entities for whom Hackworth has provided legal services shall produce to the North Carolina State Bar for inspection and copying all records and documents relating to each such person or entity including but not limited to client files, billing statements, memoranda and receipts. Documents relating to current clients shall be produced within 24 hours of demand by the State Bar. Documents relating to closed client files shall be produced within 3 days of demand by the State Bar.
- 4. If Hackworth does not have possession of the minimum records required to be maintained regarding trust and fiduciary funds pursuant to Rule 1.15-3 of the Rules of Professional Conduct, she shall direct the bank(s) where her bank account(s) are maintained, within 10 days of the date of this order, to copy and transmit any such missing records directly to the North Carolina State Bar at Hackworth's expense.

agent, personal representative, executor or attorney-in-fact until and unless she is permitted to do so by order of this Court.		
6. This Consent Order of Preliminary Injunction shall remain in effect until further order of this Court.		
THIS the H day of SOP, 2019.		
WE CONSENT  Superior Court Judge Presiding		
Katherine E. Jean		
Attorney for Petitioner		
The North Carolina State Bar		
Roydera D. Hackworth		
Respondent		

Douglas J. Brocker Attorney for Respondent

5. Hackworth shall not serve in any fiduciary capacity, including trustee, escrow

<ol><li>Hackworth shall not serve in any agent, personal representative, executor or permitted to do so by order of this Court.</li></ol>	y fiduciary capacity, including trustee, escro attorney-in-fact until and unless she is
6. This Consent Order of Prelimin further order of this Court.	ary Injunction shall remain in effect until
THIS the day of	, 2010.
	Superior Court Judge Presiding
WE CONSENT	
Katherine F. Jean Attorney for Petitioner The North Carolina State Bar	

Douglas J. Brocker
Attorney for Respondent

Roydera D. Hackworth Respondent